

IN THE
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	
)	No. 19 CR 655
v.)	
)	
FARHAN SHEIKH)	Magistrate Judge Susan Cox
)	
)	

**DEFENDANT SHEIKH'S UNOPPOSED MOTION FOR
RECONSIDERATION OF PRETRIAL DETENTION**

Defendant FARHAN SHEIKH, by the Federal Defender Program and its attorney AMANDA G. PENABAD, respectfully moves this Court for reconsideration of his pretrial detention. The government does not oppose this motion. In support of this motion, Mr. Sheikh submits the following:

1. On August 17, 2019, a complaint was filed against Mr. Sheikh charging him with interstate transmission of a threat, in violation of 18 U.S.C. § 875(c). Dkt. #1. The government has sought and obtained two unopposed extensions of time to return an indictment. Dkts. #14, 17.

2. A detention hearing was held in this case on August 20, 2019. Pretrial services recommended release with conditions, but did not recommend supervision. The government moved to detain Mr. Sheikh in large part due to concerns about Mr. Sheikh's mental health and potential dangerousness. The Court ordered Mr. Sheikh detained based, in part, on similar concerns. Dkt. #8.

3. Since that initial hearing, an expert retained by the defense has conducted an evaluation of Mr. Sheikh and determined that he does not have any mental health condition that presents a danger to the public, or to himself. Defense counsel has shared this information with the government, and the parties have agreed that pretrial release with conditions is appropriate in light of this new information.

4. Mr. Sheikh therefore moves the Court for reconsideration of its detention order. The parties submit that the following conditions are appropriate: (1) a prohibition on any use of social media; (2) a prohibition on direct or indirect contact with the alleged victim in this case; (3) custodianship by Mr. Sheikh's father; (4) electronic monitoring with a curfew, as directed by pretrial services; (5) participation in a mental health evaluation; (6) a travel restriction to the Northern District of Illinois; (7) a prohibition on possession of a firearm, destructive device, or other weapon; (8) surrender of his passport to Pretrial Services; (9) prohibition on obtaining a new passport; (10) prohibition against alcohol use; and (11) prohibition on use of controlled substances, absent .

5. Mr. Sheikh's proposed custodian, his father Mazher Sheikh, will be available at the motion hearing, should the Court wish to inquire of him.

WHEREFORE, for all the reasons stated herein, Farhan Sheikh respectfully moves this Court for reconsideration of his pretrial detention, and requests that the Court order him released on appropriate conditions of bond.

Respectfully submitted,

FEDERAL DEFENDER PROGRAM
John F. Murphy
Executive Director

By: s/ Amanda G. Penabad
Amanda G. Penabad
Attorney for Farhan Sheikh

AMANDA G. PENABAD
FEDERAL DEFENDER PROGRAM
55 East Monroe Street, Suite 2800
Chicago, IL 60603
(312) 621-8340

CERTIFICATE OF SERVICE

The undersigned, Amanda G. Penabad, an attorney with the Federal Defender Program hereby certifies that in accordance with FED.R.CIV.P5, LR5.5, and the General Order on Electronic Case Filing (ECF), the following document:

**DEFENDANT SHEIKH'S UNOPPOSED MOTION FOR
RECONSIDERATION OF PRETRIAL DETENTION**

was served pursuant to the district court's ECF system as to ECF filings, if any, and were sent by first-class mail/hand delivery on November 13, 2019, to counsel/parties that are non-ECF filers:

By: s/ Amanda G. Penabad
Amanda G. Penabad
FEDERAL DEFENDER PROGRAM
55 E. Monroe St., Suite 2800
Chicago, Illinois 60603
(312) 621-8340